

Application No. 10/618,133
Amdt. under Rule 116 faxed May 19, 2006
Attorney Docket No. ARA-US-P1

REMARKS

Amendments to the Claims

Independent claim 1 and claims 23, and 39-44 have been cancelled.

Claims 74-77 have been withdrawn.

Independent claim 78 has been amended as suggested by the Examiner.

Claims 2-5, 7, 9-11, 16-18, 45, 48, and 74-77 have been amended to depend from claim 78. Claims 17 and 18 have been further amended to recite a "controller for controlling the fluid heater" instead of a "means for controlling the temperature of the fluid in the processor assembly". Claim 45 has been further amended to recite that the fluid heater is a hot gas heater and also to conform to its new parent claim.

Claim 24 has been rewritten as an independent claim and, as suggested by the Examiner, claim 24 now includes all of the limitations recited in claims 1 and 23.

Claims 31 and 32 have been amended to depend from claim 24.

No new matter has been added by the foregoing amendments.

Amendments to the Specification

The specification has been amended as suggested by the Examiner in order to correct obvious numbering errors. No new matter has been added by these amendments.

Objections to Drawings

The drawings were objected to under 37 CFR 1.83(a) as not showing the spring-loaded adjustable pressure relief valve recited in claim 9. (Office Action, page 2, par. 2) During a telephone interview conducted on May 18, 2006 ("telephone interview") between the Applicants' counsel and the Examiner, counsel pointed out that FIG. 3, in fact, shows a pressure

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relief valve 32 which the specification states is preferably an adjustable spring-loaded type pressure relief valve (Specification, page 16, line 19-23). Based on the foregoing, the Examiner indicated that he was withdrawing this objection.

Objection Under 35 U.S.C. § 132(a)

The amendment filed on December 7, 2005 was objected to on the ground that it introduced new matter. (Office Action at page 3, par. 2) Specifically, the Examiner stated that the original specification failed to have a basis for a pressure relief valve having a single inlet and a single outlet as shown in proposed amended FIG. 3.

During the telephone interview, counsel explained that the proposed amendment was to correct an obvious drafting error and conform FIG. 3 to FIGS. 11A. Counsel and Examiner also agreed that FIG. 11A does, in fact, show a pressure relief valve 212 having a single inlet and a single outlet. Based on the foregoing, the Examiner agreed to withdraw this objection. The Examiner also confirmed that proposed amended FIG. 3 was approved.

35 U.S.C. §112 Rejections

Claims 17-22 were rejected under 35 U.S.C. §112, second paragraph. Specifically, the Examiner stated that it was unclear what structure the "means for controlling the temperature of the fluid in the processor assembly" comprised

Applicants has amended claims 17 and 18 to recite a "controller for controlling the fluid heater" instead of a "means for controlling the temperature of the fluid in the processor assembly" Applicants submit that claims 17 and 18, as amended, overcome the rejection under 35 U.S.C. §112. Claims 19-22 depend from claim 18 and overcome the rejection under 35 U.S.C. §112 for the same reasons as claim 18. Further, these amendments were submitted by

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facsimile to the Examiner before the telephone interview and during the telephone interview the Examiner indicated that he did not object to these amendments.

35 U.S.C. §102/103 REJECTIONS

The Examiner stated that independent claim 78 would be allowable over the prior art of record if amended as suggested by the Examiner. (Office Action, page 11, par. 2) In response, Applicants have amended claim 78 as suggested by the Examiner. Applicants have also amended claims 2-5, 7, 9-11, 16-18, 45, 48 to depend from claim 78.

Claim 78, as amended is allowable. Claims 2-6, 9-13, 16-19, 21-22 and 79 depend from claim 78 and are allowable for the same reasons as their parent claim over the prior art of record.

The Examiner also stated that claims 24-30 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. (Office Action, page 12, par. 2). In response, Applicants have cancelled independent claim 1 and claim 23 and have rewritten claim 24 as independent claim that includes all of the limitations recited in claims 1 and 23. Applicants have also amended claims 31 and 32 to depend from claim 24.

Claim 24, as amended, is allowable. Claims 25-30, 32-35, 37, and 38 depend from claim 24 and are allowable for the same reasons as their parent claim.

Also, prior to the telephone interview, Applicants submitted the foregoing amendments by facsimile to the Examiner. During the telephone interview, the Examiner stated that he had reviewed the foregoing amendments and that did not have any objections.


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On the basis of the above amendments and remarks, reconsideration of this
application and its allowance are requested.

Respectfully submitted,

5-19-05

Date


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